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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Angel Enrique GUTIERREZ, Defendant.	Magistrate Case No.: '08 MJ 8365 COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

On or about April 30, 2008, within the Southern District of California, defendant Angel Enrique GUTIERREZ did knowingly and intentionally import approximately 8.84 kilograms (19.45 pounds) of methamphetamine a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Special Agent
Immigration and Customs Enforcement

SWORN TO ME BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 1st DAY OF MAY 2008.

Peter C Lewis
U.S. MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Angel Enrique GUTIERREZ

STATEMENT OF FACTS

This Statement of Facts is based on the reports, documents, and notes furnished to U. S. Immigration and Customs Enforcement Special Agent Behm.

On April 30, 2008, at approximately 0811 hours, Angel Enrique GUTIERREZ entered the United States at the Calexico, California, West, Port of Entry. GUTIERREZ was the driver and sole occupant of a 1994 Ford Mustang.

At primary inspection, U.S. Customs and Border Protection Officer (CBPO) V. Fonseca received a negative oral Customs declaration. The primary inspector referred GUTIERREZ and the vehicle to secondary for a closer examination.

In the secondary lot CBPO S. Barela utilized his narcotic detector dog on the vehicle. The dog alerted to the rear tire well.

A subsequent inspection of the vehicle revealed several packages inside the rear quarter panels. One of the packages was probed by CBPO Negron and a sample of a white powdery substance was obtained, which field tested positive for methamphetamine. The packages had a combined net weight of approximately 8.84 kilograms (19.45 pounds).

GUTIERREZ was placed under arrest. SA Behm advised GUTIERREZ of his Miranda Rights, which he acknowledged and waived. GUTIERREZ stated he was to be paid $2,500.00 for smuggling narcotics into the United States.